

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

ARAKELIAN ENTERPRISES, INC.  
d/b/a ATHENS SERVICES  
Employer

and

Case 31-RD-223309

ERNESTO CALVILLO  
Petitioner

and

TEAMSTERS LOCAL 396  
Union

ORDER

The Employer's Request for Review of the Regional Director's blocking determination is denied as it raises no substantial issues warranting review.<sup>1</sup>

MARVIN E. KAPLAN, MEMBER

WILLIAM J. EMANUEL, MEMBER

LAUREN McFERRAN, MEMBER

Dated, Washington D.C., September 22, 2020.

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<sup>1</sup> In denying review, we observe that the Board recently adopted changes to the blocking-charge policy. See 85 Fed. Reg. 18366 (Apr. 1, 2020). Those amendments were not effective until July 31, 2020, however. 85 Fed. Reg. 20156 (Apr. 10, 2020). Accordingly, they do not apply to petitions filed prior to that date, as is the case here.

Member McFerran did not participate in the Board's final rulemaking regarding the blocking-charge policy, and she expresses no view on the merits of those amendments. She agrees, however, that the amendments to that policy should not be applied retroactively, and thus she joins her colleagues in denying review.